

INFORMAL PROBATE

2

Application for Appointment as Personal Representative

Part 2: The Appointment, Notice of Appointment,
Inventory and Appraisement
(Instruction Packet)

SELF SERVICE CENTER

INFORMAL PROBATE APPLICATION FOR APPOINTMENT AS PERSONAL REPRESENTATIVE

PART 2: The Appointment, Notice of Appointment, Inventory and Appraisement

How to assemble these documents: This packet contains instructions and procedures about the appointment, notice of appointment, and the inventory and appraisement whether there was a will or not. Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	PBIP4it	Table of instructions/procedures in this packet	1
2	PBIP40p	Procedures: What to do after you are appointed Personal Representative	2

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PROCEDURES: WHAT TO DO AFTER YOU ARE APPOINTED PERSONAL REPRESENTATIVE

USE THIS PACKET ONLY if you have been appointed the Personal Representative of the Estate in an Informal Probate proceeding.

1. NOTICES AND ORDERS YOU MUST SEND AFTER THE LETTERS ARE ISSUED:

A. NOTICE OF APPOINTMENT and/or ADMISSION OF WILL:

- Within **10 days** of your appointment you must complete this Notice and **mail or deliver a copy** of the Notice to everyone entitled to notice, including all interested persons. If your case involves a Will, check the boxes that say appointment and admission, otherwise only check the boxes that say Appointment of Personal Representative.
- If there is a Will, attach a copy of the Will to the Notice.
- Complete the PROOF OF DELIVERY/MAILING OF NOTICE, and file it and the **original** PROOF OF NOTICE with the Probate Registrar.

B. ORDER TO PERSONAL REPRESENTATIVE:

- Within **10 days** of your appointment you must mail a **copy** of the ORDER TO PERSONAL REPRESENTATIVE to everyone entitled to notice, including all interested persons.
- Complete the PROOF OF DELIVERY/MAILING OF ORDER OF PERSONAL REPRESENTATIVE, and file the **original** PROOF OF NOTICE with the Probate Registrar. To simplify things, the PROOF OF NOTICE FOR THE ORDER TO PERSONAL REPRESENTATIVE and the NOTICE OF APPOINTMENT and/or ADMISSION OF WILL are combined into one document.

C. NOTICE TO CREDITORS:

- Complete the NOTICE TO CREDITORS included in this packet and mail it to all creditors you know about. File the **original** NOTICE TO CREDITORS with the Probate Registrar.
- Publish the NOTICE TO CREDITORS. You must do this just in case there is a creditor who is not aware of this matter. Publish in a newspaper of general circulation in the county where the Court hearing is held, once a week for **3 weeks in a row**. Use the letter in this packet to help you.
- The newspaper will usually file the original AFFIDAVIT OF PUBLICATION and return a copy to you. If the newspaper returns the original AFFIDAVIT OF PUBLICATION to you, file it with the Probate Registrar.
- Complete the PROOF OF NOTICE TO CREDITORS and file the **original** with the Probate Registrar.

2. DOCUMENTS YOU MUST COMPLETE:

A. INVENTORY AND APPRAISEMENT OF ASSETS IN THE ESTATE:

- Within **90 days** after your appointment as Personal Representative you must prepare an inventory of property owned by the decedent. You must:
 - 1) List the property with reasonable detail,
 - 2) Estimate its fair market value,
 - 3) Indicate whether it was held as community or separate property, **AND**
 - 4) What kind and amount of any encumbrances/liens might exist on the property.

You can hire an appraiser to determine fair market value if there is **reasonable doubt** about some asset. Be sure the appraiser is qualified and disinterested. List the name(s) and address(es) of the appraisers on the inventory, and list which item(s) was/were appraised.

- After the inventory is completed, do one of the following:
 - 1) File the inventory with the court and send copies to any interested person who requests it, **OR**
 - 2) You can choose not to file it, but then you must deliver or mail a copy of the inventory to **each** of the heirs or people named in the will and any other interested person who requests it. If you do this, complete the PROOF OF MAILING OR DELIVERY OF INVENTORY AND APPRAISEMENT is in your packet. (Proof or Delivery is only required in Pinal County, although it is good practice to do so anyway).

Note: at any time while you are administering the Estate you realize that you failed to list some item in the inventory or the value or description of the asset was wrong, you must file a supplementary inventory with the new information, and file it with the court and give copies to interested parties who request it only, or if you choose not to file it, then give copies to **all** interested persons.

3. NOW PROCEED WITH ADMINISTRATION AND CLOSING THE ESTATE:

Go to Packet Number 3 called ***Administering and Accounting Before Closing the Estate*** and Packet Number 4 called ***Closing the Estate***.